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Protracted conflicts in the GUAM area and their implications for international peace, security and development

Security Council
Sixty-fifth year

Identical letters dated 29 January 2010 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit a document prepared by the Ministry of Internal Affairs of Georgia regarding violations of the 12 August 2008 six-point ceasefire agreement by the Russian Federation and the statement of the Ministry of Foreign Affairs of Georgia on the ninth round of the Geneva discussions, held on 28 January 2010 (see annex).

I should be grateful if the present letter and its annex would be circulated as a document of the General Assembly, under agenda item 14, and of the Security Council.

(*Signed*) Alexander **Lomaia**
Permanent Representative

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Annex to the identical letters dated 29 January 2010 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Statement of the Ministry of Foreign Affairs of Georgia on the ninth round of the Geneva Discussions, held on 28 January 2010

The ninth round of the Geneva talks was held on 28 January 2010, where the issues of security and stability in Georgia's occupied Abkhazia and Tskhinvali region and the return of refugees and internally displaced persons to the places of their habitual residence were discussed. Meetings of the two working groups were held, in which participants took part in an individual capacity. The Head of the provisional administration of the former South Ossetian Autonomous District, Dimitri Sanakoev, and the Chairman of the Government of the Autonomous Republic of Abkhazia, Giorgi Baramia, took part at the ninth round of the Geneva talks. Deliberations were moderated by the United Nations, the European Union and the Organization for Security and Cooperation in Europe and attended by representatives from Georgia, the United States of America and the Russian Federation. Representatives of the proxy regimes also participated in the working groups.

Unfortunately, the ninth round of the discussions did not bring any results because of the rigid position of the Russian Federation. Moscow and its proxy regimes in Tskhinvali and Sokhumi are categorically against the document of the Co-Chairs on "Basic elements of a framework for an agreement on the non-use of force and international security arrangements" and the paper on "Interim Steps", which propose the concrete steps aimed at establishing an international presence in the occupied territories. Moscow and its proxy regimes declared that the idea of an international presence in the occupied territories was entirely unacceptable. This position distances them from the position of the international community and Georgia, and shows clearly that they are not interested in seriously engaging in constructive discussions which would establish an effective international presence and ensure effective implementation of the 12 August 2008 ceasefire agreement. We want to reiterate that it is extremely cynical and requires adequate international reaction that after requesting the conclusion of the non-use of force agreement with Georgia for quite a long period, Russia now resists the proposed documents. In contrast, the Georgian side believes that despite the minimalistic approach of the Co-Chairs, these documents represent a step in the right direction and will be conducive to the establishment of an effective international presence in the occupied territories.

The Georgian participants once again raised the issue of the full implementation of the 12 August ceasefire agreement, and the unconditional withdrawal of the Russian forces from the occupied regions of Georgia. In the spirit of compromise, the Georgian side proposed a stage-by-stage withdrawal of Russian forces in a limited time frame and their parallel replacement with international peacekeeping and police forces. This proposal does not endanger the role of the proxy regimes, and it is our strong belief that it provides an opportunity to move to a more substantial level of discussions. However, this position is not yet shared by Moscow and its proxy regimes in Sokhumi and Tskhinvali. Currently, there is no

progress on these proposals despite the clear messages from all responsible participants of the Discussion that strengthening an international presence is an imperative. Participants stressed on numerous occasions the necessity of access of the international organizations, and particularly the European Union Monitoring Mission to the occupied territories as an essential element for maintaining stability and transparency in the occupied regions.

It should be noted that the representatives of the European Union Monitoring Mission once again rejected the unsubstantiated claims of the Russian participants on the alleged threat of attack from Georgia on the occupied regions. It was clear again that Russian Soviet-type propaganda simply aims at further destabilizing the situation on the ground.

The Georgian side and the co-moderators once again called upon Moscow and the Tskhinvali proxy regime to engage constructively in the Incident Prevention and Response Mechanism, which is currently stalled because of an incomprehensible boycott from Tskhinvali. The Co-Chairs proposed a working session, which was aimed at discussing the document envisaging the resumption of the Incident Prevention and Response Mechanism and solving procedural issues, which was unfortunately not attended by the representatives from Moscow and Tskhinvali. This also demonstrates the lack of interest in the resumption of the working dialogue on the local level aimed at the prevention of the further occurrence of incidents.

During the Discussions, the Co-Chairs underlined the position that the local residents should not be detained for crossing the occupation line. It is our strong position that the persons detained for crossing the dividing lines should be released immediately. Currently, Tskhinvali proxy authorities are still holding 10 citizens of Georgia, including the 6 local residents who have recently been "convicted" for crossing the occupation line. Proxy authorities pledged to release these individuals to Commissioner Hammarberg almost a month ago.

In Working Group II, participants continued to discuss a set of comprehensive measures proposed by the co-moderators aimed at undertaking joint steps for ensuring safe and dignified return of the internally displaced persons and refugees to the places of their habitual residence. Here also, the position of the proxy authorities and Moscow was extremely negative and cynical.

Those participants went so far as to question the fundamental right to safe and dignified return of the internally displaced persons and refugees. Questioning this right is even more cynical when it is done by those, who are responsible for and have condoned the atrocious acts of ethnic cleansing. This approach represents a vivid continuation of the decades-long policy of Moscow aimed at stalling the process of return at all costs. We have to once again report that even though discussions will continue during the next rounds, regrettably it seems unlikely that substantial steps will be taken with respect to the safe and dignified return of the internally displaced persons, unless the Russian occupation forces and its proxy regimes revise their positions.

As they did during the previous rounds, participants discussed the situation with regard to the provision of basic utilities — water and gas — to the war-affected populations around the occupied Tskhinvali region and in the occupied Akhalgori district. Some concrete projects and sequence of action was proposed by the OSCE Chairman-in-Office, which was endorsed by the Georgian side, but was again

rejected by the representatives of the Tskhinvali proxy regime. Despite our willingness to overcome the differences in a mutually acceptable way and find a constructive consensus, we are becoming convinced that Moscow and its proxy authorities in Tskhinvali are not interested in the improvement of the livelihoods of those who reside in the occupied territories. Neither are they interested in the improvement of the humanitarian situation on the ground, which is becoming a worrying trend as the population of this region continues to suffer.

Participants agreed to hold a tenth round of the Geneva Discussions on 30 March 2010.

Tbilisi, 29 January 2010

Information regarding Russia's violations of the 12 August 2008 six-point ceasefire agreement during the period September-December 2009

Since the Russian Federation's military aggression in August 2008 and the ensuing occupation of 20 per cent of Georgia's territories, Russian occupation forces exercise effective control over Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia.

Throughout this period, Russia remains in grave violation of the fundamental principles and norms of international law, as well as its multilateral and bilateral international obligations. Russia also remains in severe breach of every provision of the six-point ceasefire agreement signed on 12 August 2008.

September 2009

1. On 3 September, at about 5 p.m., Ossetian looters attacked civilians in the village Jariasheni, Gori district. Criminals attempted to hijack the tractor of some local residents, but the owners resisted. As a result, Vano Dolashvili was wounded and Soso Gogelashvili received health injuries.

2. On 6 September, four shepherds, Gela Ogadze, Akaki Tvaliashvili, Tristan Ananiashvili and Nikoloz Sauri, were illegally arrested by Ossetian militiamen close to Sakorintelo. They were released on 7 September.

3. On 6 September, a heavy explosion close to the train station in village Ingiri, Zugdidi district took place early in the morning. The incident did not cause any casualties or injuries.

4. On 7 September, four Georgians were detained by Ossetian militiamen, with the aim of smuggling fruit on the other side of the Administrative Boundary Line (ABL). After a few hours, they were released but their car was never returned.

5. On 8 September, an unmanned aerial vehicle (UAV) was identified as flying over the Georgian checkpoint in the village Plavi.

6. On 8-9 September, a Russian UAV was identified as flying over the Georgian villages Ditai, Arbo and Mereti.

7. On 10 September, Ossetian militiamen arrested the residents of Sachkhere in the forest of Java district, as they were cutting wood: Mukhran Kavtaradze, Bichiko Machavariani, Roman Kimadze, Gela Machavariani and Giorgi Natsvlishvili. The militia illegally took their mobile phones and the truck "Zil-131". Later these persons were released.

8. On 11 September, Russian border guards arrested Vasil Begiashvili, a resident of village Mejvriskhevi, who was searching for his lost cattle in a forest close to the village. Begiashvili was taken to the village Gromi, then to the Ossetian KGB building and later released.

9. On 11 September, the director of Chegali village school was warned by the head of Saberio village administration, Ruslan Narmania, and local militiamen and was instructed to inform the parents of pupils who study in Tsalenjikha schools to stop taking their children to Georgian schools on the other side of the ABL.

10. On 11 September, at 11 a.m., 11.05 a.m. and 11.10 a.m., a Russian helicopter Mi8 was identified as flying over Georgian police checkpoints in Khurcha and Ganmukhuri.

11. On 12 September, a minibus moving from Gali to Zugdidi was robbed close to village Sida.

12. On 14 September, Russian citizen Karum Mamedov was arrested in Gori district. Mamedov had illegally entered Georgia on 29 August and went to Sagarejo, from where he originates. Mamedov was arrested when he tried to illegally enter Tskhinvali region.

13. On 14 September, Georgian children who study in Tsalejikha schools were not allowed to move freely into the Georgian-controlled territories.

14. On 15 September, at about 3 p.m., a TNT-Hexogen filled device exploded in a passenger wagon in Zugdidi. The train was empty; therefore nobody was killed or injured. The train was significantly damaged.

15. On 15 September, teachers of Saberio (Gali district) school were warned to take Abkhazian passports; otherwise they would be sacked from their positions.

16. On 20 September, a Russian citizen from town Beslan, Giorgi Kasoev, was arrested close to village Chobalauri for illegally crossing the Georgian-Russian border and violation of the visa regime.

17. On 20 September, at 6.15 p.m., fire was opened in the direction of village Ergneti.

18. On 20 September, at 8.25 p.m., fire was opened on the Georgian police checkpoint in village Ergenti.

19. On 21 September, at 7.30 p.m., fire was opened on the Georgian police checkpoint in village Ergneti.

20. On 21 September, at about 10 p.m., fire was opened on the police checkpoint in Plavismani.

21. On 24 September, at 9.30 a.m., as a result of a clockwork explosive-device activation, a pick-up type of vehicle of the Ministry of Internal Affairs of Georgia was exploded during the patrolling activities in the vicinities of village Dvani, Kareli district. There were no casualties. Only the patrol vehicle was damaged as a result of the incident.

22. On 27 September, at 8 p.m. a UAV was identified as flying over the Georgian police base in Karaleti.

23. On 30 September, at 10 a.m., fire from automatic weapons was opened from Nabakevi towards the direction of the Georgian police checkpoint in village Khurcha (Koki area).

24. On 30 September, at 5.45 p.m., 7.35 p.m. and 9.45 p.m., fire was opened on the Georgian checkpoint at Enguri Bridge in village Rukhi. The incident did not cause any injuries or casualties.

25. On 30 September, at about 10 p.m., fire coming from near the village Koshka was opened towards the direction of the Georgian police checkpoint in village Mereti.

26. On 30 September, in the evening, Vadim Tadtaev, dressed in uniform and armed with an automatic rifle was arrested by the Georgian police in village Zemo Khviti.

October 2009

27. On 7 October, about 20 local residents working in fruit gardens close to the ABL in village Kere were detained by a Russian/Ossetian armed group. Later they were released. Amiran Rcheulishvili, the van driver, was released only the day after.

28. On 10 October, fire was opened from the Ossetian side on the Georgian police checkpoint in village Zemo Nikozi. The incident did not cause any casualties or injuries.

29. On 14 October, at about 2 a.m., four masts of high-voltage power transmission line "Qartli 2" situated in the vicinity of the Tsaghvlevi village, Khashuri district, were damaged as a result of an explosion. A Trotyle-made clockwork explosive device was attached to the masts which were damaged as a result of bomb activation.

30. On 18 October, at about 12.30 p.m., fire from village Otrevi was opened towards the Georgian checkpoint in village Plavi. The incident did not cause any injuries.

31. On 19 October, an RPG 7 grenade was found in the gardens close to village Rukhi at Enguri Bridge. Presumably, the grenade was launched on 30 September and did not explode. The de-miners of the Ministry of Internal Affairs cleared the ordnance.

32. On 21 October, the railway was exploded close to village Teklati, Senaki district. The explosion was so strong that the freight train, carrying black oil, went off the rails. No victims were reported as a result of the incident.

33. On 21 October, the F1 type of hand grenade exploded in the hands of teenager Alexander Makhachashvili, who had found it in Dvani churchyard. The teenager received heavy injuries and was transported to the hospital.

34. On 25 October, 16 residents of Gremiskhevi village were detained by the Russian Federal Security Service close to Gremiskhevi. Later they were accused of illegal logging of wood. On 30 October they were released.

35. On 26 October, five residents of Chvenisi village, Kareli district were detained by Russian and Ossetian forces close to the ABL. On 29 October they were released.

November 2009

36. On 4 November, in the afternoon, four pupils of Tirdznisi public school, Romelashvili Giorgi (born in 1995), Tsabadze Aleko (born in 1995), Buchukuri Victor (born in 1993), and Khmiadashvili Levan (born in 1992) disappeared from the territory of village Tirdznisi, Gori district. On November 5, in the morning, the South Ossetian puppet regime disseminated the information on the arrest of four Georgian teenagers in the vicinity of Tskhinvali. They were accused of "illegal crossing of border, carrying of explosives and theft". Giorgi Romelashvili and Aleko Tsabadze were released on 2 December.

37. On 7 November, at about 5 p.m., a grenade was launched in the direction of the Georgian police checkpoint in village Kvemo Nikozi. The grenade exploded close to the checkpoint, but did not cause any damage.

38. On 8 November, Jambul Badzagua was detained by the Abkhaz at the Enguri Bridge, when he was expecting his relatives from Gali. He was released on 10 November.

39. On 10 November, three fishermen from Anaklia, Kironoghli Rusti, Gabelia Gigla and Abuladze, together with three other fishermen from Gali were arrested in Pichori. They were released in the evening of 11 November.

40. On 23 November, at about 4.30 p.m., Russian citizens Alexander Iurievich Borkov (born in 1988), Alexander Viktorievich Popov (born in 1990) and Maxim Valerievich Berezov (born in 1988) were arrested in village Zemo Nikozi (Gori district). They had violated the Georgian-Russian state border and existing visa regime. On 24 November, at 12 p.m., at village Ergneti, with the assistance of the European Union Monitoring Mission to Georgia, the above-mentioned persons were handed over to the Russian side.

41. On 23 November, Jemal Midelashvili was arrested in Akhalgori. He is a resident of Spain, and has property in Akhalgori. He visited his own house and was arrested, as in the 1990s he was a deputy head of Akhalgori police.

42. On 29 November, the resident of Sachkhere district Ramaz Makasarashvili, a bus driver, was arrested by Russian occupants in village Perevi. Makasarashvili was released on 1 December.

December 2009

43. On 1 December, a resident of village Nosiri, Ana Kipshidze, was arrested as she entered Gali district. She intended to visit her relatives in Gali. She was released on 2 December.

44. On 1 December, in the afternoon, Russian occupants arrested the drivers and passengers (6 passengers in the first van and 16 in the second) of two minivans. The drivers and passengers were released on 2 December after paying fines.

45. On 12 December, close to village Saberio, Russian occupants arrested Irakli Kalandia. He was accused of illegal border crossing and was released after paying a fine.

46. On 12 December, South Ossetian side opened fire in the direction of village Khurvaleti. The incident did not cause any damages.

47. On 18 December, Khatuna Charaeva, born in 1965, resident of the town of Akhalgori (place of registration Octomberi street 8) was arrested for money counterfeiting. She was carrying about 30,000 counterfeit United States dollars and was detained in Didube bus station in Tbilisi.

48. On 21 December, Russian military Vitali Khripun approached the Georgian police checkpoint in village Jria, close to village Perevi; he later asked for political asylum in Georgia.